



UNIVERSITY OF
ILLINOIS
SPRINGFIELD

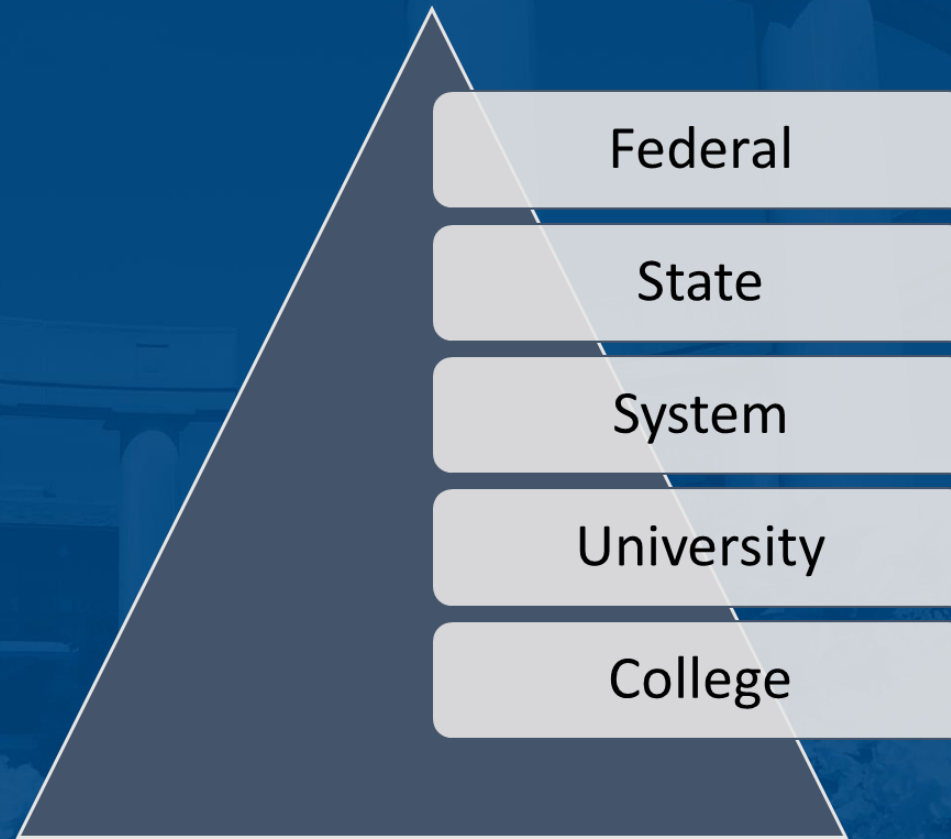
A Deep Dive into Discipline

UIS Human Resources

Objectives for today

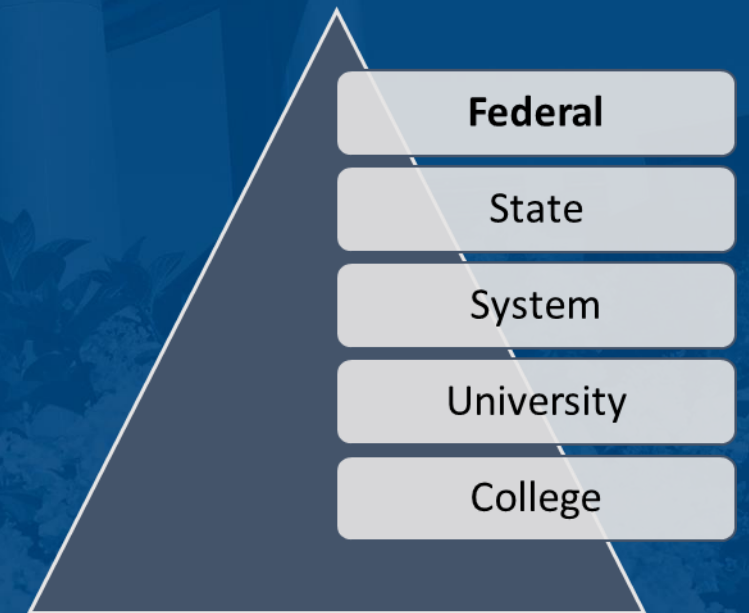
- Review external and internal policies related to discipline
- Provide an overview of the on-going performance management process and how discipline can interplay.
- Discuss specific guidelines/policies for issuing discipline
- Review available employee complaint procedures for challenging disciplinary decisions.

Employment Governance



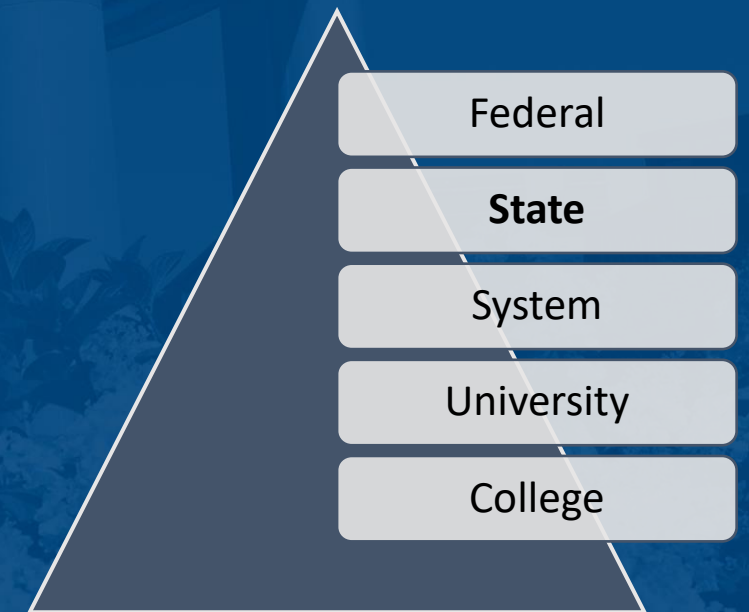
Employment Governance – Federal

- **Americans with Disabilities Act (ADAAA)**
- **Age Discrimination in Employment Act (ADEA)**
- **Fair Labor Standards Act (FLSA)**
- **Family and Medical Leave Act (FMLA)**
- **Title VII**



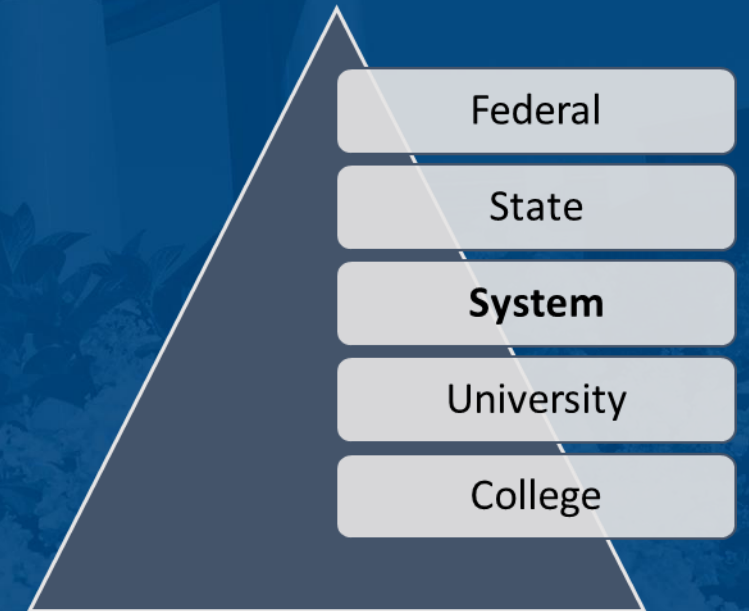
Employment Governance – State

- Minimum wage
- VESSA
- Ethics Act
- State University Civil Service System
- CMS
- SURS



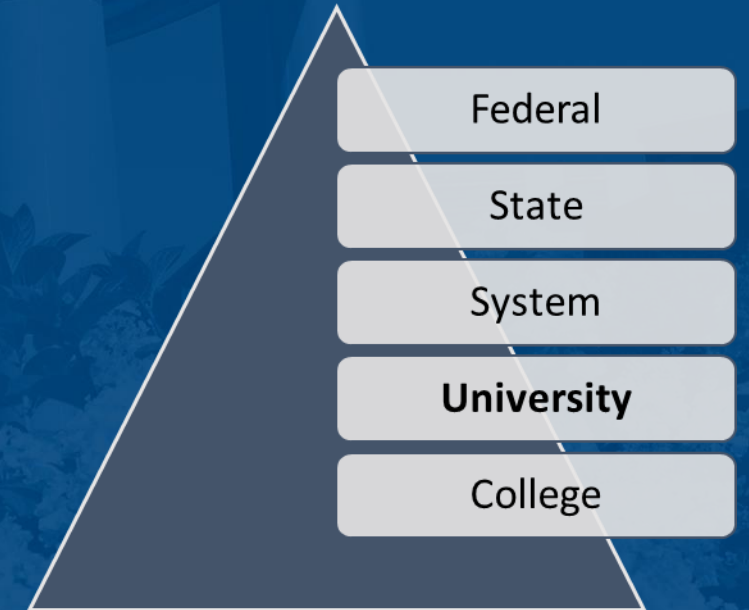
Employment Governance – System

- University statutes
- University policies and rules
- General rules
- OBFS rules and regulations
- University code of conduct
- Nondiscrimination statement
- Academic integrity



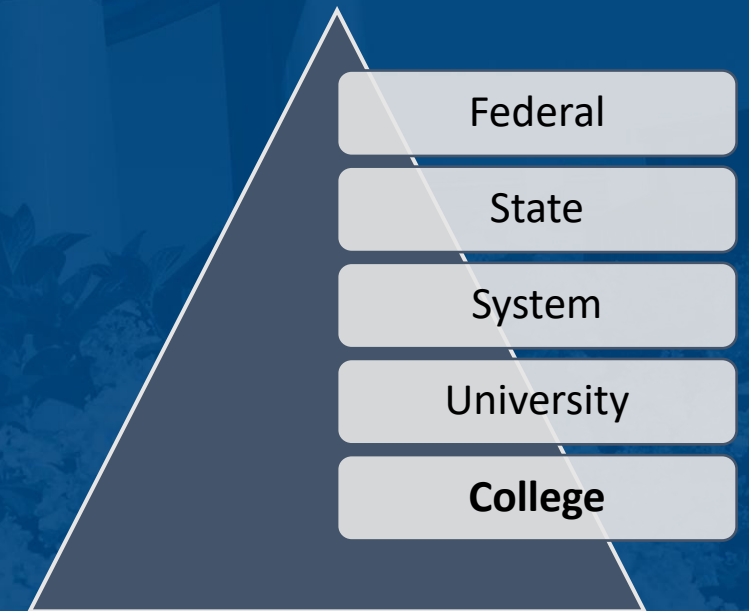
Employment Governance – University

- **UIS HR Policies and Procedures**
- **Collective Bargaining Agreements**

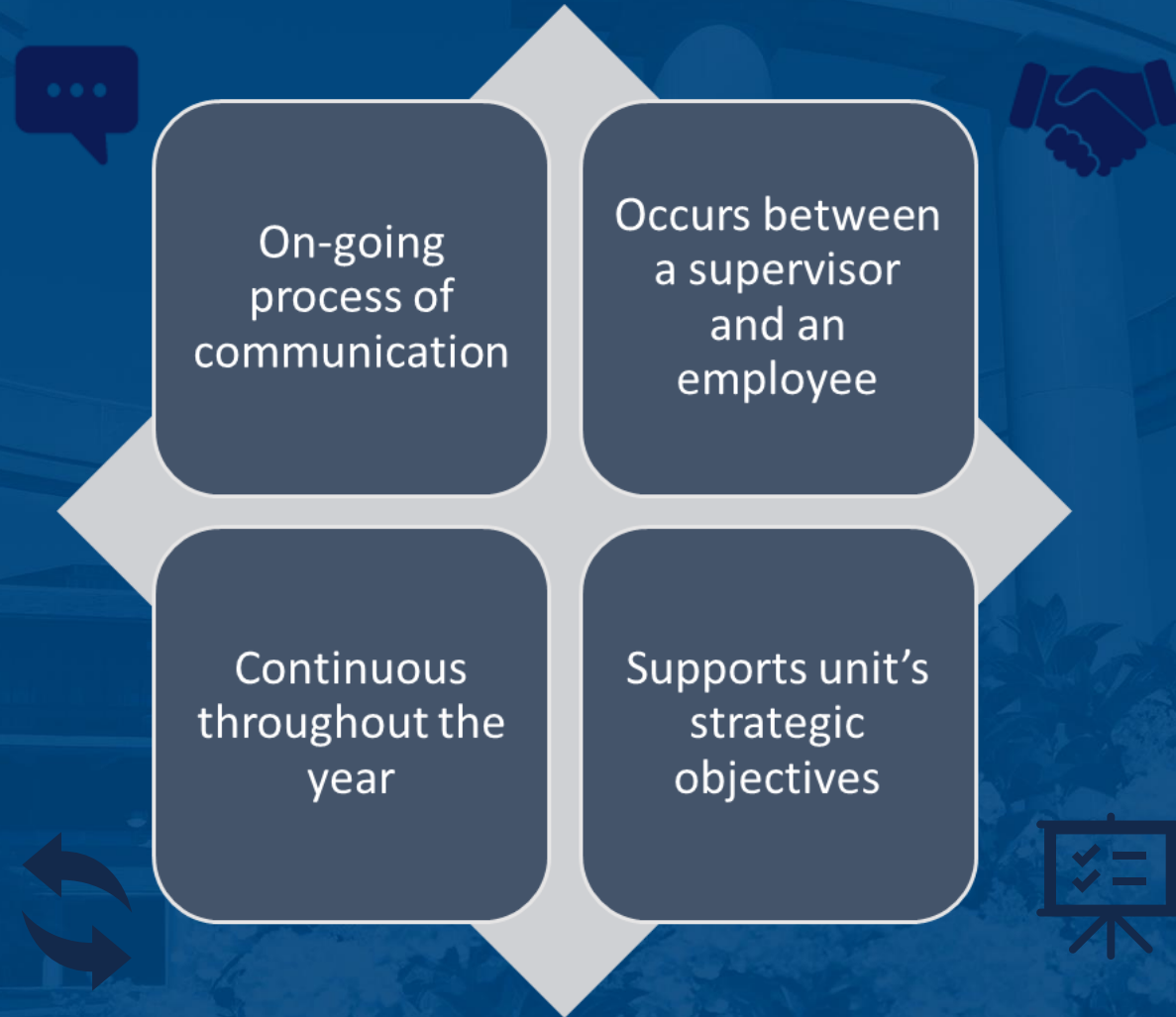


Employment Governance – College

- **Various operational guidelines**
 - Dress code
 - Salary application
 - Call-in procedures



Performance Management – What is it?



Performance Management - Roles

Campus leaders

- Create strategic plan
- Provide goals

Supervisor

- Identifies job duties and goals
- Observes, evaluates, and documents performance

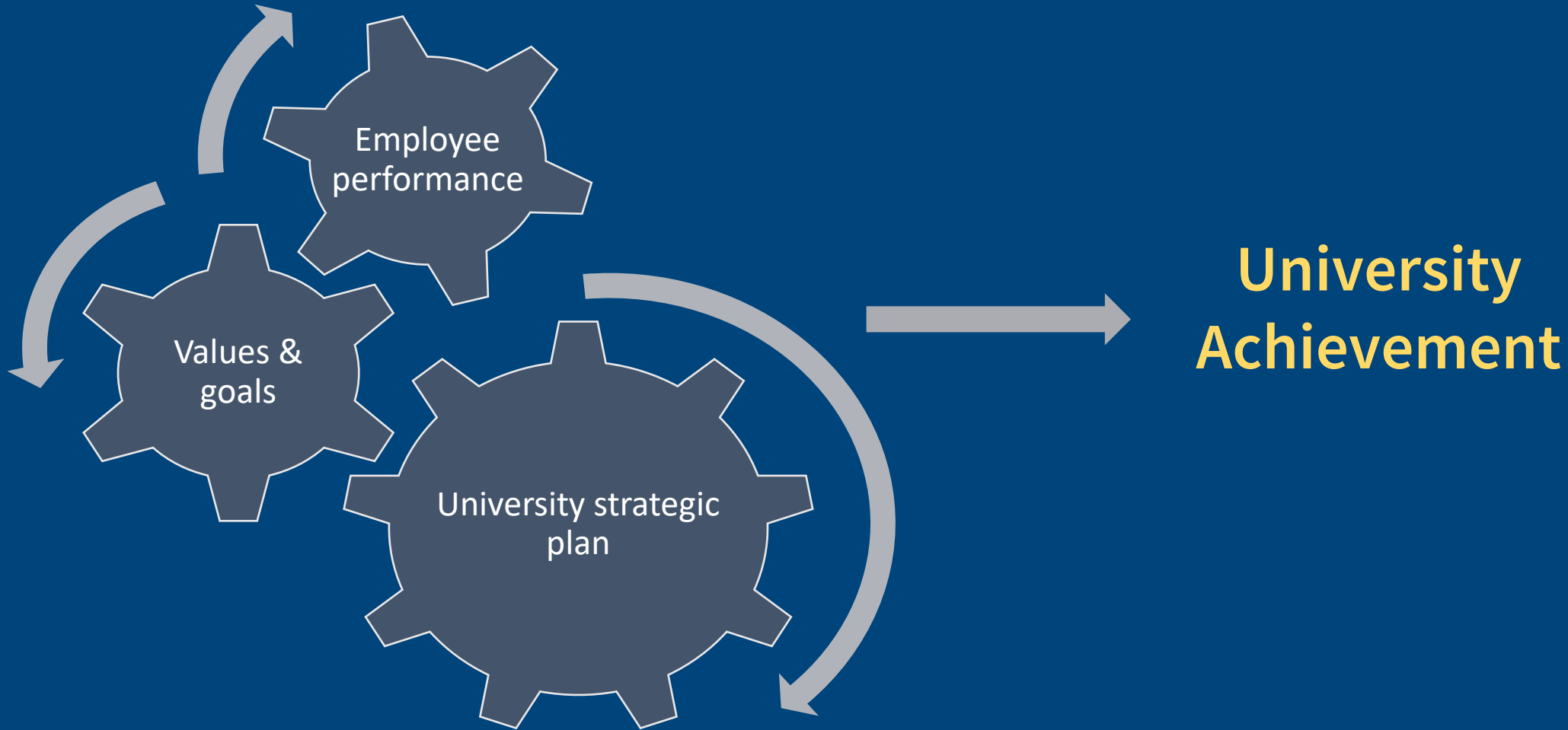
Supervisor & employee

- Develop goal plan
- Engage in dialogue

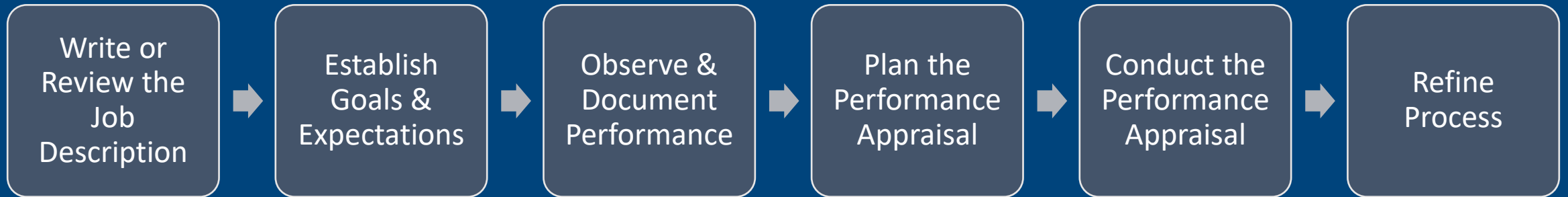
Employee

- Performs and meets expectations
- Listens and acts on feedback
- Provides feedback on the workplace

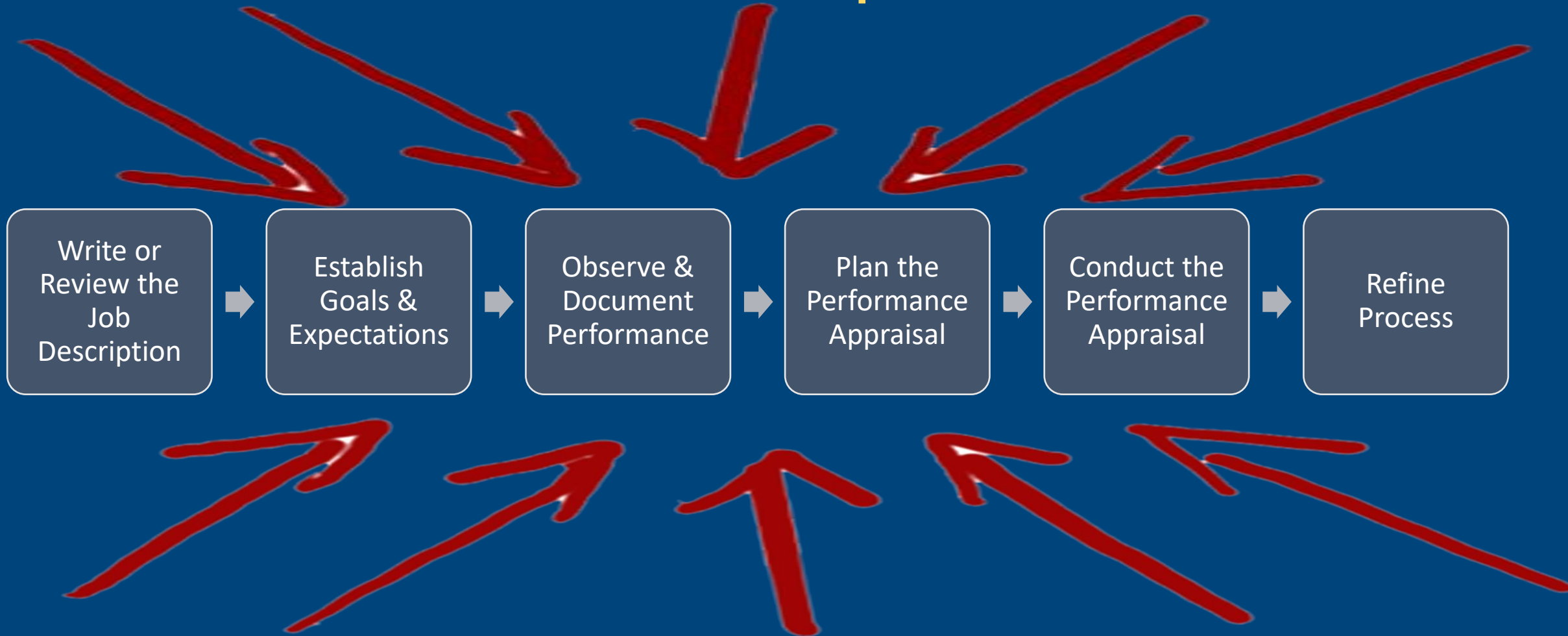
Performance Management - Impact



Performance Management - Process



When can discipline occur?



Corrective Action and Progressive Discipline



Always consult with UIS Human Resources prior to initiating any disciplinary action!

An Effective Discipline System



Corrective Action and Progressive Discipline

Disciplinary actions are to be applied consistently, impartially, and fairly and must be for **Just Cause**.

Before taking any formal disciplinary action, supervisors should consult with UIS Human Resources.

Just Cause?

Just Cause = Good Reason

- Policy or rule understood?
- Knew they could be disciplined for action?
- Rule reasonably related to the safe, efficient, and orderly operation of the business?
- Substantial evidence of violation?
- Reasonably based on seriousness of offense, employee's record, and consistency of other disciplinary actions?

Evaluation Criteria

Job Performance

How the employee **performs** the duties of the job

- i.e. Completes accurate business reports on time

Conduct

How the employee **behaves** at work

- i.e. Repeatedly interrupts others when they are speaking

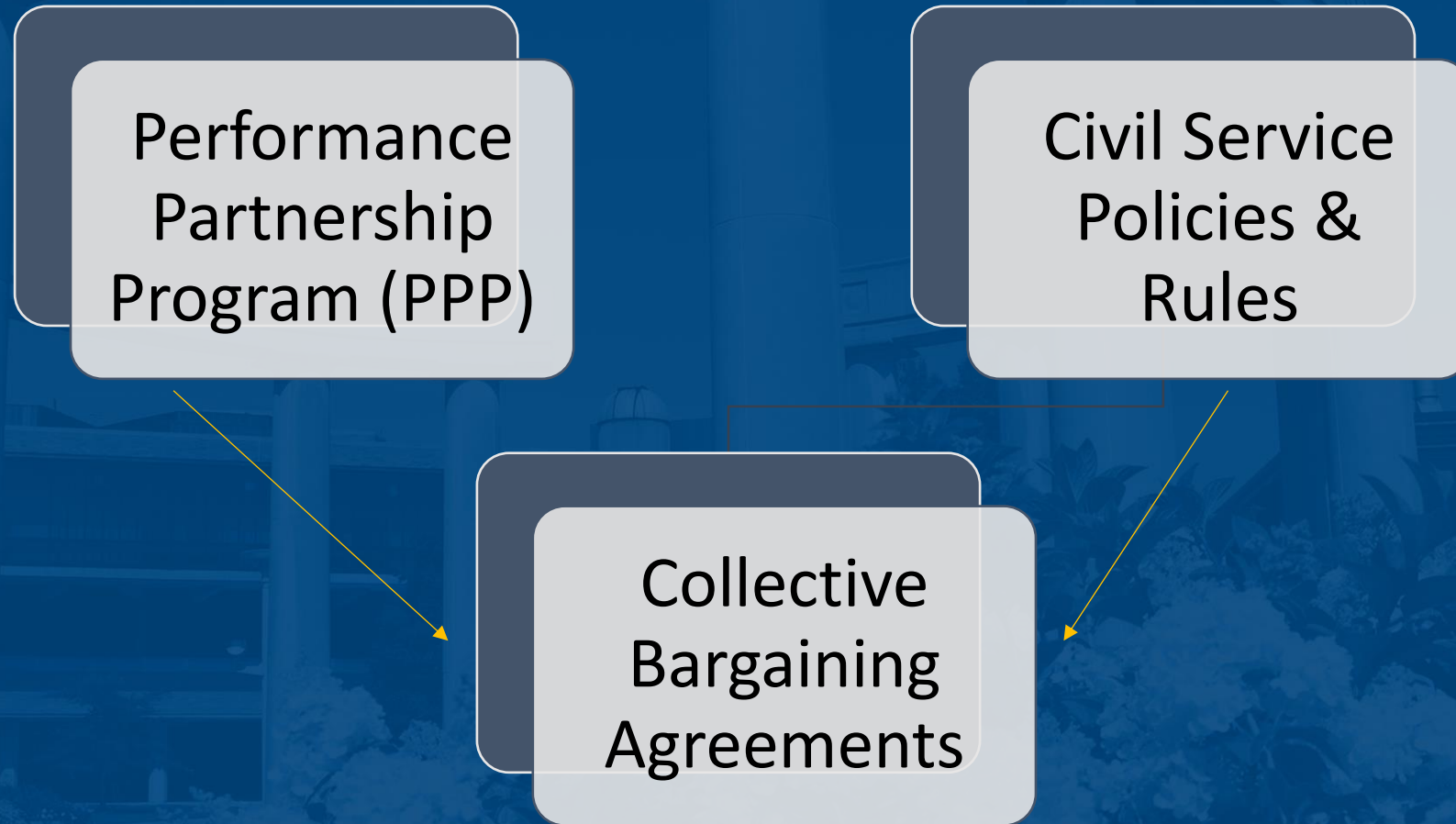
Attendance

The employee's **presence** at work

- i.e. Does not request time off in accordance to the department's call in procedures

Corrective Action and Progressive Discipline

Civil Service



Performance Partnership Program

Key Components

Collaborative
program

Corrective,
not punitive

Informal and
formal steps

Positive and
corrective
actions

Templates and
checklists

Who is subject to this process: Non-union civil service employees and employees in classifications represented by the UPI Clerical, Service or Technical Unions.

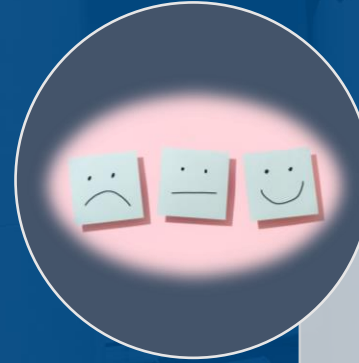
Performance Partnership Program

Informal Discussions



Positive
Contact

Positive
Recognition
Letter



Constructive
Contact (CC)

Performance
Improvement
Discussion
(PID)

Performance Partnership Program

Why use positive steps?

- Acknowledges most employees are committed, dedicated, and well-disciplined
- Increases good performance
- Motivation!



Performance Partnership Program

Stay Positive!

Positive Contact

- Conversation
- Generally not documented with a letter
- Should be documented in managerial notes

Positive Recognition Letter

- Conversation or meeting
- Followed up with a letter
- Maintain copies in the employee's departmental personnel file

Positive Recognition Letter Includes...

Departmental Letterhead
Employee's Official Name
UIN
Title
Date

Performance Partnership Program

Informal Corrective Steps

Constructive Contact (CC)

Performance Improvement Discussion (PID)

Why address informally?



- A problem has been identified:
 - Mutually develop an effective solution
 - Notify employee of future expectations
 - Avoid the need for disciplinary action

Performance Partnership Program

Constructive Contact (CC)

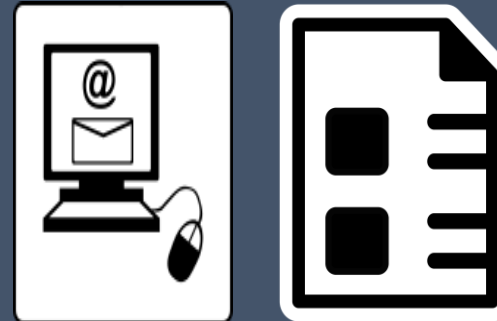
Conversation



Coaching and constructive feedback



Followed-up Informally



Immediate correction when the occasional slip-up occurs



Employee should be told it is a CC

Performance Partnership Program

Constructive Contact

Supervisory Documentation

SUPERVISOR OBSERVATION LOG

EMPLOYEE NAME:

NOTE: It is recommended that supervisors maintain ongoing records throughout the year of commendable performance and corrective measures. This will help to inform the annual performance review process as well as when more formal corrective action is needed.

DATE	PERFORMANCE EVENT	EXPECTATION	OUTCOME(S)	DISCUSSION
EXAMPLE: 11/17/22	John submitted EOY report 11/16/22	Report expected on 11/15/22 (see email attached)	Unable to meet Dean's deadline for review of departmental reports	Met with John 11/18/22

Performance Partnership Program

Performance Improvement Discussion (PID)

- Structured discussion
- Pre/Post-discussion activity by supervisors
- Anytime, including formal corrective discipline
- Documented PID letter

An employee may request that a Union representative attend a PID. The presence of a Union representative; however, will not relieve the employee's obligation to participate in that discussion.

Performance Partnership Program

Performance Improvement Discussion (PID)

Before the meeting

- Contact UIS HR, LER
- Conduct a thorough investigation
- Review any notes
- Complete pre-meeting checklist
- Determine/set meeting time/location

Please contact UIS HR, Labor and Employee Relations for templates/checklists

Performance Partnership Program

Performance Improvement Discussion (PID)

During the meeting

- Describe the problem
- Be specific
- Ask the employee for their perspective
- Let them respond
- Remind of previous discussion(s)
- Give expectations
- Gain agreement
- Share confidence in employee

Performance Partnership Program

Performance Improvement Discussion (PID)

After the Meeting

- Document with a post-meeting checklist
- Draft the PID letter
- Consult with UIS HR, LER
- Deliver the PID letter
 - Copy UIS HR and Union (if applicable)
- Monitor and Reinforce performance improvement

Informal Steps do not expire and there are no limits on the number an employee may receive. After the conversation with the employee, a brief summary is provided to the employee

Performance Partnership Program Formal Disciplinary Action

What happens when
informal steps don't work?



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Corrective Action and Progressive Discipline

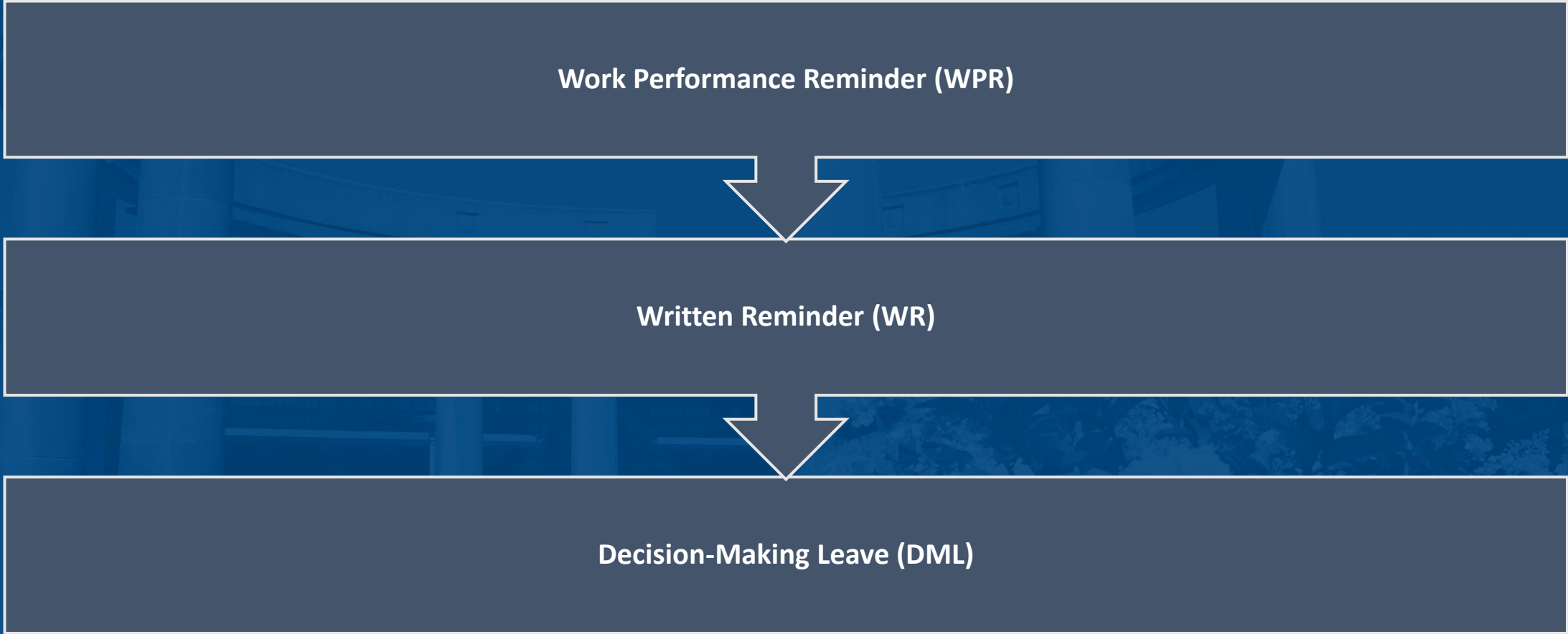


Always consult with UIS Human Resources prior to initiating any disciplinary action!

Performance Partnership Program

Formal Disciplinary Action

Work Performance Reminder (WPR)



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graph TD; A[Work Performance Reminder (WPR)] --> B[Written Reminder (WR)]; B --> C[Decision-Making Leave (DML)];
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Written Reminder (WR)

Decision-Making Leave (DML)

Performance Partnership Program

Formal Actions

Work Performance Reminder (WPR)

- Active for 12 Months
- Able to have two (2) at the same time

Written Reminder (WR)

- Active for 24 Months
- Able to have two (2) at the same time

Decision Making Leave (DML)

- Active for 24 Months
- One (1) day suspension w/pay
- Only able to have one (1)

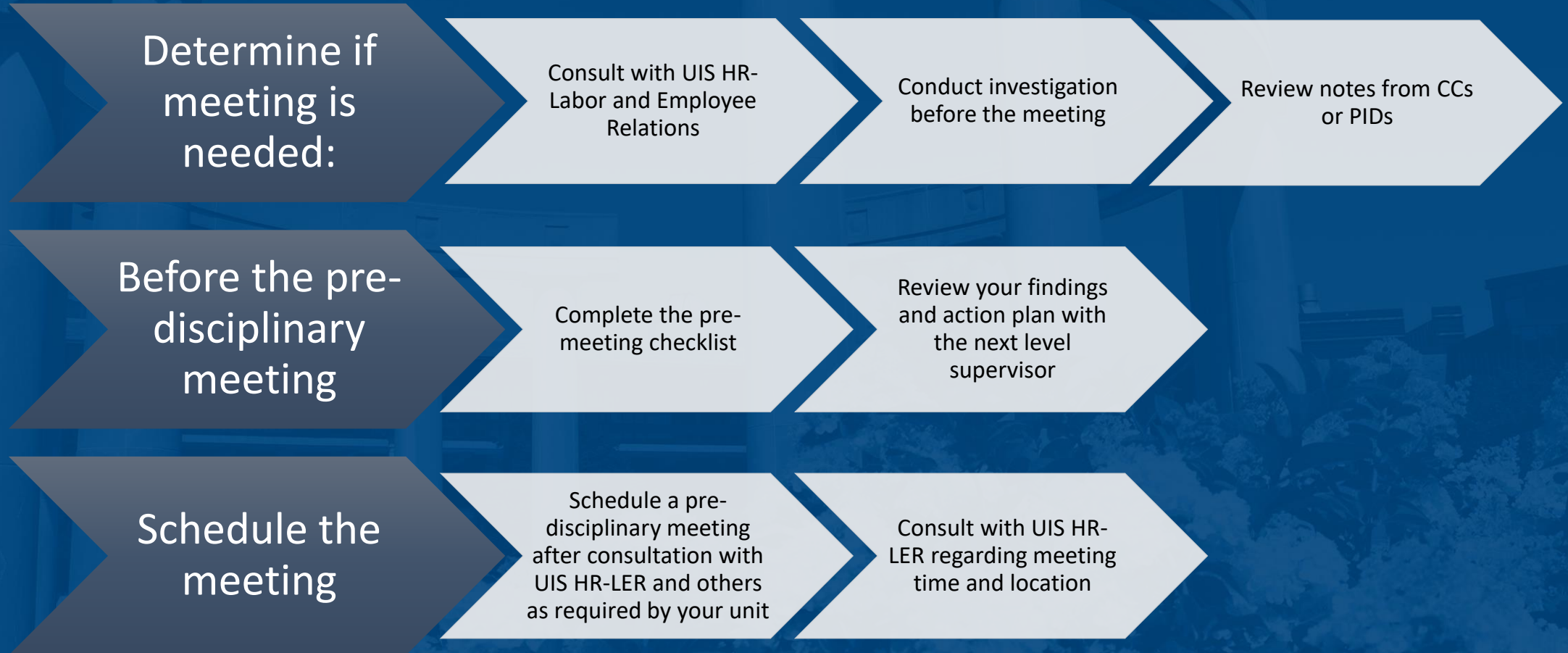
Pre-Disciplinary Meeting:

- Required for all formal discipline
- 3 workdays notice required to employee and Union (consult Collective Bargaining Agreement)
- A member of UIS Human Resources, Labor and Employee Relations **must be present**

While on formal discipline, employees are not eligible to apply/test for other vacant positions at UIS until the disciplinary action is no longer active and are also prohibited from requesting reassignment to another unit.

Performance Partnership Program

Pre-Disciplinary Meeting



Performance Partnership Program

Pre-Disciplinary Meeting Notification

In conjunction with UIS HR – LER ,notify employee, in writing, at least three days in advance

- Copy the Employee, Supervisor, LER rep., and Union, *if applicable*
- Include: date, time and location of the meeting (*virtual call-ins, if applicable*)
- Specific reason for meeting
- Apprise the employee of her/his right to representation
 - *This language is included within the notice*

Performance Partnership Program

Conducting the Pre-Disciplinary Meeting

Describe the problem

- “(Name), I have a problem and I need your assistance.”
- State the actual performance and the specific expected performance.
- Say “tell me about it...” or similar statement.

Employee Response

- Give the employee a chance to respond and explain
- Listen respectfully to what they say
- Remind the employee of any previous discussions and agreements

Caucus and Next Steps

- Temporarily excuse the employee
- Confer and decide action to be taken
- Call the employee back
- Tell the employee the specific change in performance you expect and the result of the meeting
- Gain the employee’s agreement

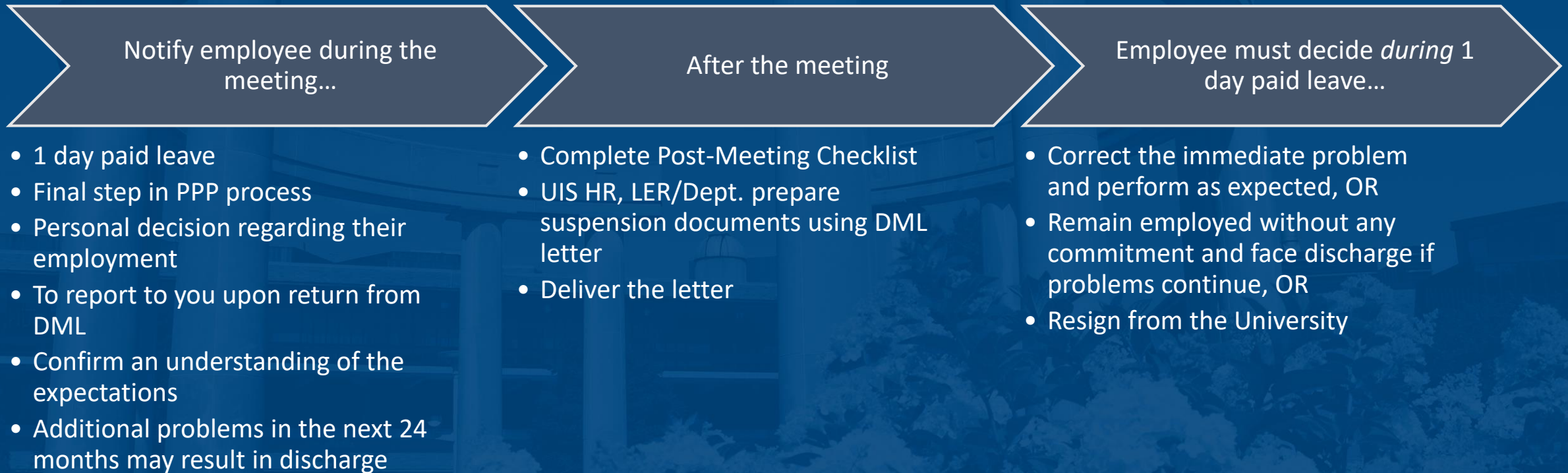
Performance Partnership Program After the Pre-Disciplinary Meeting

- After meeting resulting in a PID, WPR or WR and in conjunction with UIS HR – LER:
 - Complete the post-meeting checklist
 - Write a letter indicating WPR or WR discussion
 - Provide employee with the original signed letter
 - Distribute copies – via email
 - Follow-up

Please contact UIS HR, Labor and Employee Relations for templates/checklists

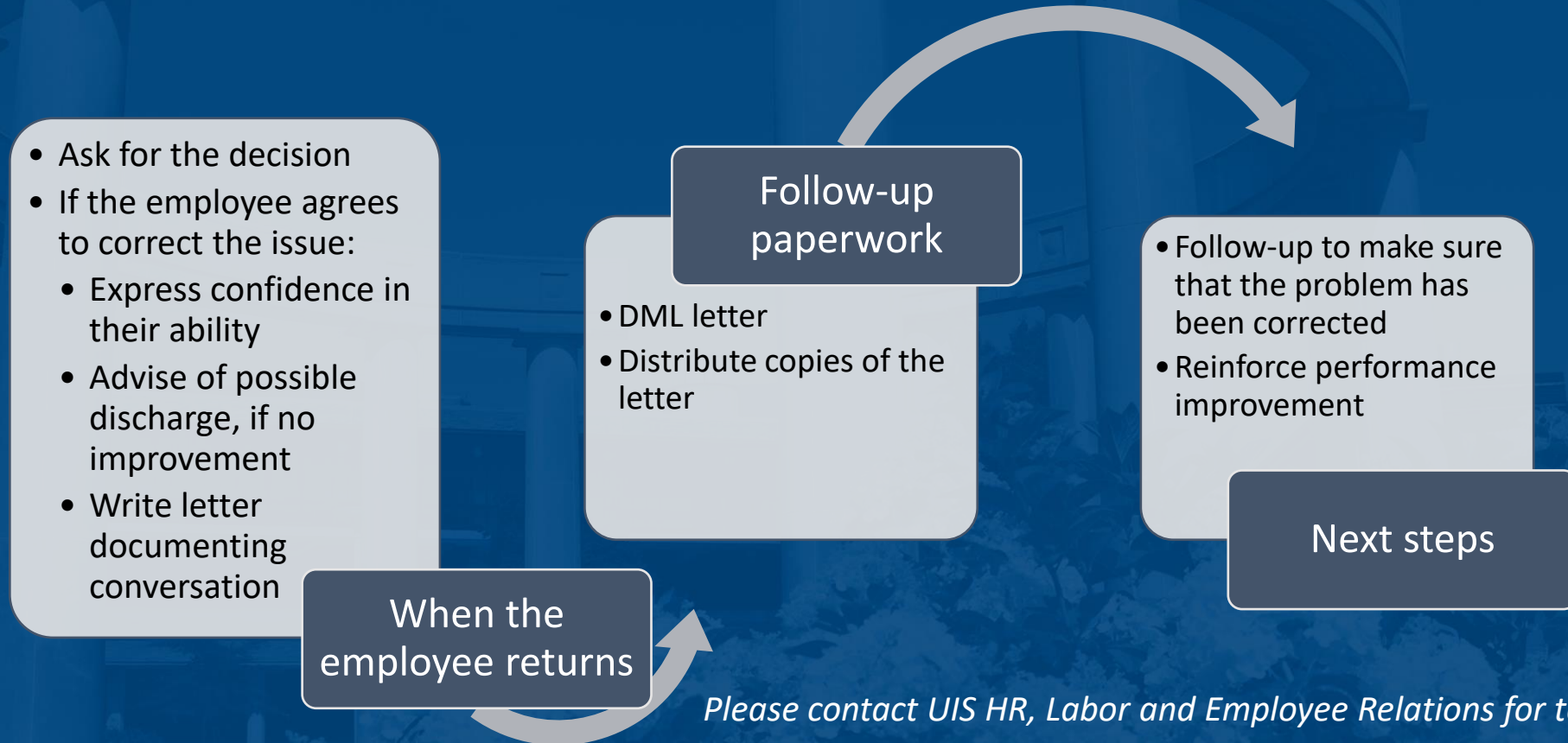
Performance Partnership Program

Decision Making Leave (DML)



Performance Partnership Program

Return from Decision Making Leave (DML)



Performance Partnership Program

Why Suspend with Pay?

DML Misconceptions

- Free vacation day
- It's too soft/tolerant/permissive
- It increases costs
- Good employees will resent it

Why suspend?

- Allows “cooling-off” period
- Communicates the seriousness of the issue
- Demonstrates management’s resolve
- Provides time to think
- Previews unemployment

Why Pay?

- Changes supervisor’s role from adversary to coach
- Demonstrates department’s good faith
- Consistent with organizational values
- Eliminates money as an issue
- Doesn’t punish family
- Reduces anger, hostility, and risk of workplace violence

Traditional Discipline Civil Service

University of Illinois Policies & Rules

Principles:

- Discipline must be **consistent, impartial, and fairly applied**.
- Decisions must result from **informed and unbiased investigations**.
- Discipline must be for **Just Cause** and **not be arbitrary or capricious**.

Types of Corrective Action:

- Verbal Warnings and Reprimands
- Letters of Warning/Reprimand
- Disciplinary Suspensions

Pre-Disciplinary Meeting

- Requires investigation/consultation
- Employee is entitled to bring a representative
- 3 workdays notice generally required

University of Illinois		Policy and Rules
POLICY 16 CONDUCT AND DISCIPLINE		
Rule 16.06 - Corrective Action and Progressive Discipline		
The University will strive to insure consistent and uniform treatment in disciplinary matters for all Civil Service employees. Disciplinary suspensions and lesser forms of corrective action or discipline such as verbal warnings and reprimands, letters of warning, and letters of reprimand are not subject to review by the Merit Board of the State Universities Civil Service System. Effort should be made to apply discipline consistently, impartially, fairly, and firmly. Decisions on discipline shall not be made in an arbitrary or capricious manner but as a result of informed and unbiased investigations. Internal operating procedures will be established that provide for a thorough investigation prior to a predisciplinary meeting with the employee and the employee's representative when formal discipline is anticipated. Notification of a predisciplinary meeting shall be given to the employee at least three (3) work days before the scheduled date of the meeting, unless there is potential threat to University property or human resources or unless otherwise specified in a collective bargaining agreement. In certain circumstances when an offense is of a serious nature, the principles of corrective action and progressive discipline may not be applicable, and immediate suspension or discharge may be warranted.		
Regulations		
16.061	Progressive Discipline	Officials of the University will follow the principles of corrective action and progressive discipline for offenses as defined by the University. Before taking disciplinary action, consultation will be held with the appropriate staff of the campus human resources office.
16.062	Responsibility for Disciplinary Action	Normally, designated supervisors or unit officials are responsible for administering disciplinary measures. Before taking disciplinary action, supervisors and unit officials shall consult with the appropriate staff of the campus human resources office. Each campus human resources office shall develop procedures for administering the levels of corrective action and progressive discipline.
If disciplinary action for the same reason(s) is taken simultaneously against numbers of employees assigned to several colleges or units, this action shall be taken by an official at an organizational level that covers all employees affected.		
16.063	Leave with Pay Pending Appropriate Action	In certain cases, the employee's presence on the job may be detrimental to the employee and/or the operating unit, or constitute a substantial risk of injury to life or property. In such cases, the supervisor or designated unit official shall consult with the unit head and
		Issued: 02-20-97 Revised: 05-29-02 Page: 1 of 2

Traditional Discipline

Civil Service

PPP	Traditional Discipline
Constructive Contact	Verbal Warning
Performance Improvement Discussion	Written Warning
Work Performance Reminder	Short-Term Suspension
Written Reminder	Intermediate Suspension
Decision Making Leave	Long-Term Suspension
Discharge	Discharge

Who is subject to this process: Employees in classifications represented by the AFSCME, FOP, IATSE, IUOE Unions.

Corrective Action and Progressive Discipline

Civil Service Discharge

Discharge – State University Civil Service System

Preliminary Steps

- Documentation of infractions
- Record of progressive discipline (oral warning → written reprimand → suspension)
- HR review and recommendation

Employee Rights

- Right to written notice of charges
- Right to request a Merit Board hearing
- Right to union representation (if applicable)
- Must choose either Merit Board appeal or union grievance—not both

Timeline

- Appeal must be filed within 15 calendar days of notice
- Hearing conducted by Merit Board or designated hearing officer
- Decision based on whether discharge was arbitrary or capricious



Corrective Action and Progressive Discipline

Probationary Civil Service

Dismissal in Probation – State University Civil Service System

Dismissal in probation

- The probationary period is an extension of the exam
- Units can dismiss an employee during probation if employee fails to demonstrate the abilities and qualifications necessary for the position
- Contact UIS Human Resources to initiate process

The employee must be dismissed PRIOR to the last day of probation. If they work one minute on the last day, they cannot be dismissed in probation.



Corrective Action and Progressive Discipline

Civil Service



Always consult with UIS Human Resources prior to initiating any disciplinary action!

Corrective Action and Progressive Discipline

Academic Professional

Letter of
Expectation
(LOE)

Notice of Non-
Reappointment
(NONR)

Corrective Action and Progressive Discipline Academic Professional

Letter of Expectation (LOE)

Principles:

- Discipline must be for **Just Cause** and must be **consistent, impartial, fair, and firmly applied.**
- Discipline must **not be arbitrary or capricious.**
- **Emphasis on problem solving over punishment.**
- Clearly outline expectations for performance and/or conduct
- Provide justification for taking employment action
- May include a *Performance Improvement Plan (PIP)*
- *If corrective steps do not result in acceptable work performance, employees may be subject to a Notice of Non-Reappointment.*

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Corrective Action and Progressive Discipline

Academic Professional

Letter of Expectation (LOE)

Dear <Employee>,

As communicated to you during our meeting held on <Date>, I am writing to clarify your job responsibilities as a full-time <Title> in the office of <Unit/Department>. As your direct supervisor, it is my expectation that each workday you will report to work, maintain regular work hours from <hours>, and complete work assignments in a timely and productive manner. In addition, in order to address the performance concerns I raised with you during our meeting, you are expected to:

Insert Expectation 1

Insert Expectation 2

Insert Expectation 3

I will schedule regular meetings with you to discuss your progress in these areas. I am hopeful this guidance will assist you in achieving and sustaining the level of performance necessary to be successful in your position.

Sincerely,

<Supervisor>

Corrective Action and Progressive Discipline

Performance Improvement Plan (PIP)

1. Clear and Specific goals
2. Defined Timeline
3. Include milestones and check-in dates to monitor
4. Actionable Steps
5. Open and Honest Communication
6. Consequences

Keep the tone constructive and focused on growth – we want our employees to be successful!!

Corrective Action and Progressive Discipline

Academic Professional



Always consult with UIS Human Resources prior to initiating any Letter of Expectation!

Corrective Action and Progressive Discipline Academic Professional

Notice of Non-Reappointment (NONR)

- Formal process in which the Board of Trustees issues a “Notice of Non-reappointment” which is required for termination of full-time, non-visiting academic professional staff.
 - University of Illinois Statutes, Article IX, Section 11 (a)-(f).

Corrective Action and Progressive Discipline

Academic Professional

Notice of Non-Reappointment (NONR)

Required Notice Periods

Source of Funds	Years of Eligible Service	Months of Required Notice
Hard	Less than 4	6 months
Hard	4 or more	12 months
Soft	Less than 4	2 months
Soft	4	6 months
Soft	5	7 months
Soft	6	8 months
Soft	7	9 months
Soft	8	10 months
Soft	9	11 months
Soft	10	12 months

Corrective Action and Progressive Discipline

Academic Professional

Notice of Non-Reappointment (NONR)

Required Notice Periods

Director of Intercollegiate Athletics and coaches of athletic teams

Years of Eligible Service	Months of Required Notice
Less than 4	3 months
4 or more	6 months
10 or more	6 months

Corrective Action and Progressive Discipline

Academic Professional



Always consult with the Provost Office or UIS HR prior to initiating any NONR!

Do's and Don'ts of Discipline

Do's

Be fair and consistent. This is the most important. When employees feel like they're being treated fairly, they're more likely to respond to discipline the way you want.

Document it all. If you ever find yourself in a challenging situation because of how you disciplined an employee, you'll need it. That employee file will protect you in the long run.

Act fast. If you wait too long to discuss an issue with an employee, it can create confusion and resentment. The sooner you discuss it, the sooner they can work to resolve it.

Continue to check in on your employee. Give them feedback on how they're doing so they know they're making progress. It also shows you care about their development and reinforces that the discipline is about the action, not the person.

Do's and Don'ts of Performance Management

Don'ts

Don't threaten your employee. Throwing around empty threats makes it feel like a personal attack. And if there's been no progress, you'll have to keep your word or face the consequences of not following through.

Don't assume your employee knows they did something wrong. Take the time to explain the issue and why it's a problem. There might be an easy fix, like some simple education or training.

Don't think that just because you talked about it, it's resolved. Keep following up with your employee. Keep written documentation of everything you've discussed on this issue.

Don't make discipline personal. Stay focused on the issue, not the person. Keep your employee's attention on the work and how the problem is affecting the business.

Don't wait to document issues. Make sure you get the pertinent information about the behavior recorded quickly, so you're not relying on your memory later. This tends to make the reports biased and unhelpful in the future.

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We want our employees to be successful.



Always consult with UIS Human Resources for matters pertaining to Performance Management.

UIS Human Resources



UIS Human Resources

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Questions???

Always consult with UIS Human Resources for matters pertaining to Performance Management.